REMARKS

Reconsideration is requested.

In this response, new claims 32-37 are added. Accordingly, claims 29-37 are pending. New claims find support at least at Figure 2, page 21, lines 6-15, and page 22, lines 19-22 of the present specification as originally filed.

In the instant Office Action, the specification and the drawings were objected to for having minor informalities; and claims 29-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kiem (U.S. Patent No. 4,430,914) in view of Nordlof (U.S. Patent No. 5,761,978).

Objections to Specification

The Office Action objected to the specification because reference "16" should be --14-- on line 6 of the amendment to the paragraph beginning at line 22 of page 21, as filed in the Preliminary Amendment on August 13, 2001. Such reference number has been corrected herein. Applicant has also corrected reference "16" to reference --14-- on line 12 of the same paragraph. Accordingly, it is believed that objections to the specification have been overcome. A notice to that effect is respectfully requested.

Corrected Drawing

Drawings were objected to for not including reference numeral "40" mentioned in the description. Amendment has been made to Figure 1 to correct

this oversight, thereby overcoming the objection to the drawings. Support for such amendment is found at page 8, line 19, of the originally filed application.

Further, the arrow pointing clockwise at reference "78" in Figure 1 should be pointing counter-clockwise. Such amendment has been made to Figure 1. Support for such amendment is found at least at paragraph bridging pages 14 and 15 of the present specification as originally filed.

A substitute sheet containing Figure 1 has been submitted concurrently herewith by separate paper entitled "Substitute Drawing Request". A courtesy copy of such Substitute Drawing Request, with both a red-lined and corrected version of Figure 1, is attached hereto. Indication of the acceptability of such drawing is respectfully requested.

Rejections Under 35 U.S.C., §103

Claims 29-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Keim* (U.S. Patent No. 4,430,914), in view of *Nordlof* (U.S. Patent No. 5,761,978).

The Office Action while acknowledging that Keim fails to teach the knock lever mechanism as in claim 29, asserts that Nordlof cures such deficiencies, and therefore a combination of Keim and Nordlof would teach all elements of claim 29. Applicant respectfully disagrees in view of the following:

Claim 29 recites, in part, a knock lever mechanism having a knock lever arm configured to carry at least one of the drive wheel and the follower wheel, the knock lever arm configured to engage a platen as the treadle is moved

relative to the platen during a severing operation so as to move the one of the drive wheel and the follower wheel away from another of the drive wheel and the follower wheel to open up a gap therebetween and release a respective edge of the web during such severing operation. (Emphasis added)

Keim discloses a rotary apparatus for advancing a web. Firstly, Keim fails to teach or suggest a treadle as recited in claim 29. As shown in Keim's Figure 2, a shaft carrying a disk 62, 62' of each driven pair is positioned by spring-return pneumatic release cylinder 69. The web is fed from surface 18 into arcuate web alignment guides 22, 24 (See Keim's Figure 3). Cylinder 69 is retracted to set the gap between disks 62 and 63 to the operational distance to positively advance web 30. The pneumatically controlled releasing operation to set the gap between disks 62 and 63 is typically performed every second or third stroke to prevent undue accumulation of error. See Keim's col. 4, lines 22-32.

Secondly, Keim's pneumatic cylinder 69 operates independently of guides 22, 24. Even assuming for argument purposes that guides 22, 24 function as a treadle, the pneumatic cylinder 69 is not configured to engage a platen as the treadle is moved relative to the platen during severing operation to open a gap between drive and follower wheels to release an edge of the web during a severing operation as recited in claim 29. Further, creating a gap between drive and follower wheels to release an edge of the web during a severing operation is not even contemplated by Keim.

Therefore, even if the teachings of Nordlof are combined with the teachings of Keim, all the elements of claim 29 are not met. Accordingly, claim 29 is in condition for allowance. Claim 29 is patentable further in view of the following:

Nordlof discloses a roll type stock feed apparatus with mechanical feed roll release for intermittently advancing strips of stock in a power press. A movable carrier roll 25 is mounted for pivotal movement about an axis 26 on a frame structure to allow movement between a feed condition (Fig. 1) and a release condition (Fig. 2). See Nordlof's col. 2, lines 49-54. Feed and release condition states are controlled by an operator interface 53 arranged to provide command signals that are representative of desired stock feed length and angular positions of press crank at which stock feed is desired to start and stop. See Nordlof's col. 3, lines 25-30. Such feed and release states are accomplished by lengthwise reciprocation of an elongated ram position sensor that is slidably mounted on a frame. Compare positions of member 78 in Figures 1 and 2.

The Office Action asserts that "it would have been obvious to ...to employ a knock lever mechanism as taught by Nordlof on the device of Keim as an alternative structure for providing the stepwise advancing of the workpiece." For argument purposes, even assuming that such stepwise advancement of the web may be achieved, it still does not teach or suggest all the elements of claim 29 which recites an article centering and severing device and a novel structure to release a web during a severing operation.

It would not be obvious to combine Keim with Nordlof because 1) there is no teaching or suggestion in the references that would lead one of ordinary

skill in the art to combine the references in the manner suggested by the Examiner; and 2) even if the references could be combined, the resulting product still would not have all the elements of the combination recited in the claim 29, as demonstrated above.

There is no teaching or suggestion as to what components of Keim should be selected and somehow combined with components of Nordlof. There are no teachings in the references themselves which teach that there would be any advantage resulting from selecting portions of the structure of Nordlof and integrating that structure somehow into the structure of Keim. The mere fact that the structures of the references could possibly be somehow modified to result in the claimed structure does not render the claimed structure obvious unless the references themselves suggest the desirability of the modification. If one of ordinary skill in the art were given Keim and Nordlof, but not applicant's disclosure, a resulting combination would not be claim 29. It would require impermissible hindsight to combine the references in the manner suggested by the Office Action. Even if the references are combined, it would still not result in claim 29.

As noted above, Nordlof's feed and release positions are controlled by an operator interface 53 arranged to provide command signals representative of the desired stock feed length and the angular positions of the press crank at which stock feed is to start and stop. Once such command signals are sent via the operator interface, a ram position sensor member mounted on a stationary frame is engaged by actuator 78 for lengthwise reciprocation of the ram position sensor

member. See Nordlof's col. 3, lines 25-30. Since Nordlof's feed and release positions are operator controlled, it teaches away from a knock lever arm that is configured to engage a platen as the treadle is moved relative to the platen during a severing operation to create a gap between a drive wheel and a follower wheel to release a respective edge of a web during the severing operation as recited in claim 29.

In view of the above, Applicant respectfully submits that even if Nordlof is combined with Keim, all the elements of claim 29 are not met. Withdrawal of rejection of claim 29 is respectfully urged.

As claims 30-31 depend on claim 29, they are in condition for allowance.

Claims 30 and 31 further limit the scope of claim 29 by reciting features that are neither taught nor suggested by Keim nor Nordlof. For example, claim 31 recites a pair of knock lever mechanisms with each provided on each edge of the treadle adjacent each respective edge of a web centered therebetween. Even assuming for argument purposes that Nordlof's feed and release apparatus could somehow be magically combined with Keim, where does Nordlof teach having a pair of knock lever mechanisms with each of these provided on the edge of the treadle as recited in claim 31?

Even if Nordlof's structure is combined with Keim, the combination would still fail to teach or suggest claim 31. At least for these additional reasons, claim 31 is patentably distinct over the combination of Keim and Nordlof, and is therefore allowable.

New independent claims 32 and 35 are also patentable at least for

reasons set forth above with reference to claim 29.

For example, new claim 32 recites, in part, a knock lever mechanism having a knock lever arm configured to carry at least one of the drive wheel and the follower wheel, the knock lever arm configured to engage a platen as a treadle is moved relative to the platen during a severing operation, wherein one of the drive wheel and the follower wheel is moved away from another of the drive wheel and the follower wheel to open up a gap therebetween in order to release a respective edge of the web during the severing operation to facilitate lateral alignment of the web and articles carried by the web.

Neither Keim nor Nordlof, either taken alone or in combination, teach or suggest all the elements of claim 32.

Claim 32 is therefore in condition for allowance.

As claims 33-34 depend from claim 32, they too are allowable.

New claim 35 recites, in part, a knock lever mechanism having a knock lever arm configured to carry at least one of the drive wheel and the follower wheel, the knock lever arm configured to engage a platen as the treadle is moved relative to the platen during a severing operation so as to open up a gap between the drive wheel and the follower wheel and release a respective edge of the web during the severing operation to ensure further centering of the web, and wherein the guide strip is provided in close proximity with the plate to ensure alignment and positioning of the web and articles carried by the web relative to article apertures in the plate.

Neither Keim nor Nordlof, either taken alone or in combination, teach or

suggest all the elements of claim 35.

Claim 35 is therefore in condition for allowance.

As claim 36 depends from claim 35, it too are allowable.

Claim 37 is also allowable at least for reasons set forth above with reference to claims 29 and 35, in addition to its own independent features.

CONCLUSION

For all the reasons advanced above, Applicant respectfully submits that the application is in condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview before issuance of any such subsequent action.

Respectfully submitted,

Dated: 9/23/02

By: _____

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